

THE HONORABLE JOHN H. CHUN

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

AVELARDO RIVERA and YASMINE  
ROMERO, individually and on behalf of all  
others similarly situated,

Plaintiffs,

v.

AMAZON WEB SERVICES, INC.,  
a Delaware corporation,

Defendant.

No. 2:22-CV-00269-JHC

**STIPULATED MOTION  
TO EXTEND DISCOVERY  
RELATED DEADLINES AND  
ORDER**

**NOTE ON MOTION  
CALENDAR: OCTOBER 30, 2023**

Pursuant to Local Civil Rules 7(d)(1) and 10(g), Defendant Amazon Web Services, Inc. (“AWS”) and Plaintiffs Avelardo Rivera and Yasmine Romero, respectfully move the Court in the above-captioned matter for a short extension of the following discovery-related deadlines:

Event	Original Deadline	Proposed Deadline
Completion of Fact Discovery (Merits Issues and Class Certification Issues)	October 30, 2023	October 30, 2023
Deadline to hold final 30(b)(6) deposition		December 4, 2023
Deadline to move to compel source code		December 11, 2023
Disclosure of Plaintiffs’ Expert(s) and Expert Report(s) regarding Class Certification	November 27, 2023	No deadline ( <i>plaintiffs do not plan to disclose experts regarding class certification</i> )

1	Disclosure of Defendant's	January 2, 2024	January 31, 2024
2	Expert(s) and Expert		
3	Report(s) regarding Class		
4	Certification		
5	Deadline for Plaintiffs' class		March 1, 2024
6	certification rebuttal expert		
7	disclosures		
8	Completion of Expert	February 19, 2024	April 1, 2024
9	Discovery regarding Class		
10	Certification		
11	Deadline to file Daubert		May 1, 2024
12	motions		
13	Plaintiffs' Deadline to Move	March 18, 2024	May 1, 2024
14	for Class Certification		
15	Defendant's Deadline to	April 18, 2024	June 12, 2024
16	Respond to Motion for Class		
17	Certification		
18	Plaintiffs' Deadline to Reply	May 9, 2024	July 10, 2024
19	in support of Class		
20	Certification <sup>1</sup>		

In support of the foregoing requests for relief, the Parties state as follows:

1. On July 24, 2023, Plaintiffs filed a Motion to Compel Responses to Certain Discovery Requests. *See* Dkt. 83. AWS filed its Response to the Motion to Compel on September 8, 2023, and Plaintiffs filed their Reply on September 16, 2023.

2. The Court entered an Order granting in part and denying in part Plaintiffs' Motion to Compel and extended the deadline for completion of fact discovery until October 30, 2023. *See* Dkt. 116.

3. In relevant part, the Order required AWS to produce certain discovery, *id.* at 5, and to provide for deposition a Rule 30(b)(6) witness regarding IndexFaces or, alternatively, to re-designate prior deposition testimony regarding IndexFaces as corporate testimony, *id.* at 3-4. Finally, the Court held that AWS was not required to produce source code at that time because the reopening or re-designation of Rule 30(b)(6) deposition would likely cover this issue. *Id.* at 4.

<sup>1</sup> Following the Court's ruling on Plaintiffs' motion for class certification, the Parties will confer and will propose a schedule for the Court's consideration which will include a schedule for merits-based expert discovery.

1           4.       On October 4, 2023, the Court entered a Scheduling Order Regarding Class  
2 Certification which set the following deadlines:

- 3           • Completion of Fact Discovery (Merits Issues and Class Certification Issues): October  
4           30, 2023
- 5           • Disclosure of Plaintiff's Expert(s) and Expert Report(s) regarding Class Certification:  
6           November 27, 2023
- 7           • Disclosure of Defendant's Expert(s) and Expert Report(s) regarding Class  
8           Certification: January 2, 2024
- 9           • Completion of Expert Discovery regarding Class Certification: February 19, 2024
- 10          • Plaintiff's Deadline to Move for Class Certification: March 18, 2024
- 11          • Defendant's Deadline to Respond to Motion for Class Certification: April 18, 2024
- 12          • Plaintiff's Deadline to Reply in support of Class Certification: May 9, 2024

13          5.       Since the Court's Order on the Motion to Compel, the Parties have worked  
14 diligently to complete custodial discovery and to provide additional testimony regarding  
15 IndexFaces, both through redesignation of prior testimony as well as agreeing upon topics for an  
16 additional 30(b)(6) deposition. Consistent with the Court's order, AWS is on track to produce  
17 custodial documents by the close of fact discovery on October 30, 2023. AWS has also agreed to  
18 another three-hour 30(b)(6) deposition covering various topics relating to IndexFaces.

19          6.       Due to scheduling issues, the Parties agree that they require additional time to  
20 prepare for, schedule, and complete the 30(b)(6) deposition—which is currently scheduled for  
21 December 4, 2023—after which time Plaintiffs may move to compel the production of AWS's  
22 source code. The Parties also agree that, given the complexity of this case, the possibility of a  
23 further motion to compel, as well as the approaching holidays and pre-planned absences of  
24 parties and counsel, that an extension is appropriate regarding the deadlines for expert  
25 disclosures and class certification briefing. As such, good cause exists for these extensions.  
26

1 WHEREFORE, the Parties respectfully request that the Court enter an order extending  
2 existing case deadlines in accordance with this Stipulated Motion.

3 I certify that this motion contains 690 words, in compliance with the Local Civil Rules.  
4

5 Dated: October 30, 2023

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**ORDER TO EXTEND DISCOVERY  
RELATED DEADLINES**

**NOTE ON MOTION CALENDAR:  
OCTOBER 27, 2023**

**ORDER**

IT IS SO ORDERED.

DATED this 30th day of October, 2023.



HONORABLE JOHN H. CHUN  
UNITED STATES DISTRICT JUDGE

1 Presented by:

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